

REMARKS

Claims 2, 3 and 5-24 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 2-3 and 5-17, drawn to an invention of a data communication system and its method of transmitting data represented by a time interval interposed between specific sequences and generating the specific sequences; and

Group II, claims 18-24, drawn to a bi-directional data communication system with optical fiber connections, comprising components for a full-duplex of arbitration communication and a half-duplex of data communication according to IEEE1394.

**For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 2-3 and 5-17.**

Applicants have elected claims 2-3 and 5-17 for initial examination. It is also respectfully submitted that the Restriction Requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

As set forth in § 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application.

In order to be responsive to the Examiner's Restriction Requirement, claims 2-3 and 5-17 have been initially elected. The Examiner is respectfully requested to reconsider the Restriction Requirement and act on all of the claims of the application. If the Examiner does persist on the

Restriction Requirement, Applicants reserve the right to file a Divisional application directed to the non-elected claims at a later date if they so desire.

**Interview Summary**

Applicants wish to thank the Examiner for the telephone interview conducted on October 27, 2005 with the Applicants' representative. During this interview, an agreement was reached regarding the restriction office action mailed on September 30, 2005 without incorporating the substitute sheets of 371. A supplemental restriction was to be issued incorporating the proper claims.

**Conclusion**

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet, Registration No 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By   
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